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NASA Policy Directive

NPD 5101.32E

Effective Date: July 28, 2013

Expiration Date: March 30, 2022

COMPLIANCE IS MANDATORY[Printable Format \(PDF\)](#)

Request Notification of Change (NASA Only)

Subject: Procurement, Financial Assistance (Revalidated w/change 2)**Responsible Office: Office of Procurement**

Change History

Ch #	Date	Description/Comments
1	10/08/2015	Updated with 1400 compliance, updated applicable documents and forms, clarify responsibilities, title changes and requirements and updated Attachment A.
2	3/30/2017	Updated with 1400 compliance, updated applicable documents and forms, administrative changes, title changes and Responsibility 5 B and C and updated Attachment A.

1. POLICY

This NASA Policy Directive (NPD) describes Agency-wide responsibility for functional management, leadership, and policy direction for Federal Acquisition Regulation(FAR)-based procurement and for financial assistance.

2. APPLICABILITY

- a. This directive is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers. This directive applies to the Jet Propulsion Laboratory (JPL), a Federally Funded Research and Development Center, only to the extent specified or referenced in the appropriate contract.
- b. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms: "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.
- c. In this directive, all document citations are assumed to be the latest version unless otherwise noted.

3. AUTHORITY

- a. Service, Supply, and Procurement, 10 U.S.C § 2303 et seq.
- b. National Aeronautics and Space Act, as amended, 51 U.S.C. § 20113(e).
- c. Federal Grant and Cooperative Agreements Act of 1977, 31 U.S.C § 6301 et seq.
- d. Office of Federal Procurement Policy Act, as amended, 41 USC 403, et seq.

4. APPLICABLE DOCUMENT AND FORMS

- a. Assignment of Claims Act, 31 U.S.C. 3727

- b. Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards, 2 CFR 1800.
- c. Cooperative Agreements to Commercial Firms, 14 C.F.R. 1274.
- d. Defense Priorities and Allocations System 15 C.F.R. Part 700.
- e. Federal Acquisition Regulations, 48 C.F.R. Chapter 1 (FAR).
- f. NASA FAR Supplement, 48 C.F.R. Chapter 18 (NFS).
- g. NASA Grants and Cooperative Agreement Manual (GCAM).
- h. President's Management Agenda Competitive Sourcing.
- i. Federal Activities Inventory Reform (FAIR) Act of 1998.

5. RESPONSIBILITY

- a. The Assistant Administrator for Procurement shall provide functional management, leadership, and policy direction for FAR-based procurement, and for financial assistance (grants, cooperative agreements, etc.).
- b. The Deputy Assistant Administrator for Procurement serves as the Agency Procurement Ombudsman, except when acting as the Agency Senior Procurement Executive. In these situations, the Director of the Contract and Grant Policy Division (CGPD) will serve as Agency Procurement Ombudsman.
- c. The Director of the Contract and Grant Policy Division (CGPD) serves as the Value Engineering Manager.

6. DELEGATION OF AUTHORITY

- a. The NASA Administrator delegates to the Assistant Administrator for Procurement authority to:
 - (1) Enter into and take other actions for FAR-based purchases, contracts, and for financial assistance instruments.
 - (2) Make determinations and decisions for FAR-based procurement, and for financial assistance matters, except those determinations and decisions required by law or regulation to be made by other authority.
 - (3) Develop and process all notices and regulations related to the NASA Grant and Cooperative Agreement regulations in Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards, Title 2, C.F.R. 1800, Cooperative Agreements to Commercial Firms, Title 14 C.F.R. 1274, the NASA Grants and Cooperative Agreement Manual (GCAM) and the NASA FAR Supplement, 48 C.F.R. Chapter 18 (NFS). Execute Federal Register Notices and supporting documents related to procurement and financial assistance activities.
 - (4) Establish contracting activities and delegate broad authority to manage the Agency's contracting functions to heads of such contracting activities in accordance with Federal Acquisition Regulations, 48 C.F.R. Chapter 1 (FAR) subpart 1.601. Establish financial assistance activities and delegate broad authority to manage the Agency's financial assistance function to heads of such assistance activities. Appoint grant officers, source selection officials, contracting officers, contracting officer representatives, and other procurement officials.
 - (5) Exercise priorities authority on behalf of NASA in accordance with the Defense Priorities and Allocations System (15 C.F.R. Part 700), the FAR, and the NFS.
 - (6) Serve as the NASA member of the FAR Council.
 - (7) Make determinations of need for no-setoff commitments under the Assignment of Claims Act, 31 U.S.C. 3727 in accordance with FAR 32.803(d).
 - (8) Waive the applicability of Cost Accounting Standards for a contract or subcontract.
 - (9) Serve as the NASA Deputy Chief Acquisition Officer.
 - (10) Serve as the NASA Competitive Sourcing Official, with responsibility for Agency implementation of the President's Management Agenda Competitive Sourcing (including A-76) and the Federal Activities Inventory Reform (FAIR) Act of 1998.
- b. The Assistant Administrator for Procurement may redelegate authority in accordance with applicable laws and regulations. These redelegations are described in the NFS or Grant regulations and manual.

7. MEASUREMENT/VERIFICATION

The Office of Procurement will measure compliance with this directive through existing communication and reporting channels. Quality assurance reviews will ensure compliance and documentation requirements are met.

8. CANCELLATION

NPD 5101.32E, Procurement, dated April 13, 2003.
REVALIDATED W/CHANGE 2, 3/30/2017,

ORIGINAL SIGNED BY:

/s/ Charles F. Bolden
Administrator

ATTACHMENT A. REFERENCES

- A.1 Concerning Nondiscrimination in Federally assisted Programs, 14 C.F.R. Part 1250 through Part 1252.
- A.2 Governmentwide debarment and suspension (nonprocurement) and 14 C.F.R. 1267 Governmentwide requirements for a drug-free workplace (Financial Assistance), 2 C.F.R. Part 180.
- A.3 Inspector General Act of 1978, as amended, 5 U.S.C. Appendix §§1-13.
- A.4 Merit-based award of grants for research and development, 10 USC Sec. 2374.
- A.5 Office of Management and Budget Guidance for Grants and Agreements, Title 2, C.F.R., Subtitle A.
- A.6 NPR 5101.33 Procurement Advocacy Programs.
- A.7 NPD 5000.2, Small Business Subcontracting Goals.
- A.8 NPD 5101.1, Requirements for Legal Review of Procurement Matters.
- A.9 NPD 9070.2, Government Charge Cards.

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